

RELEASE AND WAIVER INDEMNIFICATION

IN CONSIDERATION of Fern Resort permitting the undersigned to participate in the Paintball program and related activities and equipment. I, _____ for myself, executors, administrators and addings do hereby release and forever discharge Fern Resort, their respective servants, agents or employees from any loss, injury or damage to my person or property incurred while participating in the Paintball program and related activities, not withstanding any such loss, injury or damage may have arisen by reason of the negligence of Fern Resort, their servants, agents or employees.

I _____ ,

- 1) acknowledge that the game involves physical exertion and may result in injury to the undersigned or others playing the game;
- 2) am aware of the possibility of risks of injury, including, but not limited to being shot by a paintball, falling, tripping, being hurt by field structures and improper use or operation of equipment by the undersigned or any other player where the possibility of permanent disability or death does exist;
- 3) Agree to play the game according to the rules which have been explained and to follow directions given by any game referees;
- 4) Warrant and acknowledge that the participants physical condition is excellent and his/her mental state is sufficiently stable to enable him/her to participate safely in the game;
- 5) Agree to use any paintball equipment in a manner which will not cause injury or damage himself/herself or others playing;

And for the above consideration, the undersigned further agrees not to make any claim or to commence or maintain any action or proceeding against any person, corporation or the entity in which any claim could arise against Fern Resort, for contribution or indemnity or otherwise in respect of any incident relating to my attendance at, or participation in the Paintball program and related activities and equipment and, furthermore, to indemnify and hold harmless Fern Resort, their officers, agents and employees from any and all causes of actions, claims, demands, loses or costs of any nature whatsoever arising out of or in any way relating to my attendance at or participation in the Paintball program and related activities and equipment.

IN WITNESS WHEREOF this instrument is duly executed this _____ day of _____ , 20____ And good through to _____ day of _____ , 20_____.

Witness

Signature

Name of Participant (print)

** This release and indemnification form may only be signed by those persons 18 years of age or older. If the above-noted person is under the age of 18, this release and indemnification must be signed by a parent or legal guardian.

Signature of Parent/Gardian

Rules and responsibilities

- 1) Always wear approved goggles at shooting range and in or near playing field (AT ALL TIMES). Not adhering to this rule is cause for immediate dismissal from the game.
- 2) Never shoot at anyone who is not wearing approved eye protection.
- 3) A player is emphatically disallowed from shooting at any other player showing a neutrality symbol, any non-player, any judge or any referee.
- 4) No player may shoot at any person or object outside the perimeter of the playing field. No paintball markers (paintball gun) are to be taken out of the playing field perimeter.
- 5) Observe all safety rules applicable to firearms when handling paintball markers (paintball gun).
- 6) Never shoot anything from a paintball marker (paintball gun) except the water-soluble paintballs, which must be supplied by Fern Resort only.
- 7) Firearms and explosives are strictly forbidden.
- 8) No physical confrontation between players, i.e. hand-to-hand combat, taking prisoners, etc. is permitted.
- 9) Consumption of alcohol or drugs is strictly prohibited.
- 10) National, regional and local laws apply.
- 11) Paintball markers (paintball gun) or other gas-powered devices used in paintball games must not have a paintball or other projectile chambered while outside the playing field perimeter.
- 12) Never look down the barrel of a gun. Ask the staff to clean your gun for you.
- 13) Barrel plugs must ALWAYS be in the gun if game is not in session.
- 14) Please be aware that bruising and or welts are highly likely. They are an expected result of playing paintball.
- 15) You must be over eighteen years of age to sign this form, or have a parent or guardian do so for you.